

HJS
m2w
10-20-03
PATENT
MED385-00/00180A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: WILSON III ET AL.)
SERIAL NO.: 09/843,263)
FILED: APRIL 26, 2001)
FOR: SYSTEM, METHOD AND ARTICLE OF)
MANUFACTURE TO FACILITATE)
REMOTE STATION ADVERTISING)
ART UNIT: 2681)
EXAMINER: UNKNOWN)

PETITION TO MAKE SPECIAL

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Cory

Dear Sir:

Pursuant to 37 Code of Federal Regulations (C.F.R.) §1.102(d), Applicant hereby petitions the Commissioner of Patents and Trademarks to make the subject patent application special so that it may be taken out of turn for immediate action.

Enclosed are:

(1) A Declaration of the undersigned attorney in compliance with Manual of Patent Examination Procedure (M.P.E.P.) §708.2 II;

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the above address on August 4, 2003

1

Amy Miles

(2) A check in payment of the petition fee required under 37 C.F.R. §1.17(i) in the amount of \$130; and

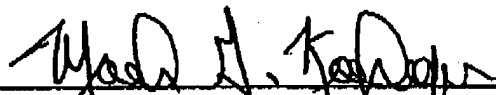
(3) One copy of each of the references deemed most closely related to the subject matter encompassed by the claims.

This utility application was filed on April 26, 2001. No Office Action or other action has been received as of the date of this petition.

Please charge or credit any other fees to Deposit Account No. 08-1500.

Applicants respectfully request that this Petition be granted.

Respectfully submitted,



Mark G. Kachigian, Registration No. 32,840
HEAD, JOHNSON & KACHIGIAN
228 West 17th Place
Tulsa, Oklahoma 74119
(918) 587-2000
Attorneys for Applicant

PATENT
MED385-00/00180A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: WILSON III ET AL.)
SERIAL NO.: 09/843,263)
FILED: APRIL 26, 2001)
FOR: SYSTEM, METHOD AND ARTICLE OF)
MANUFACTURE TO FACILITATE)
REMOTE STATION ADVERTISING)
ART UNIT: 2681)
EXAMINER: UNKNOWN)

RECEIVED
CENTRAL FAX CENTER
OCT 09 2003

DECLARATION IN SUPPORT OF PETITION
TO MAKE SPECIAL UNDER RULE 102(d)

OFFICIAL

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Mark G. Kachigian, declare as follows:

- (1) I am an attorney of record in the above-indicated application.
- (2) There is an infringing device or product actually on the market or method in use.
- (3) This utility application was filed on April 26, 2001. The present application has not received any examination or other action.

(4) In PCT Patent Application US01/13841, a search was conducted by the European Patent Office and the following references were uncovered:

PCT Publication No. WO 94/03995 A, published on February 17, 1994
European Patent Application EP 0 933 941 A2, published on August 4, 1999

I have reviewed each of these references carefully and have concluded that the claims would not be anticipated or be obvious over any of said references taken either singly or in any valid combination.

I am not aware of any other pertinent prior art and, therefore, I believe that I have a good knowledge of the prior art.

(5) A rigid comparison of the infringing device, or method of the claims of the application has been made and that in my opinion some of the claims are unquestionably infringed.

(6) I have made or cause to be made a careful and thorough search of the prior art and have a good knowledge of the pertinent prior art.

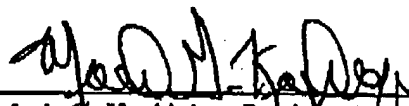
(7) Based on the foregoing, I believe this declaration meets the requirements of MPEP §708.2 II.

(8) A copy of each of the references deemed most closely related to the subject matter encompassed by the claims are included herein for purposes of reference.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such false statements may jeopardize the validity of this document and of the patent application to which it relates.

Signed in Tulsa, Oklahoma, this 9th day of August, 2003.

Respectfully submitted,


Mark G. Kachigian, Registration No. 32,840
HEAD, JOHNSON & KACHIGIAN
228 West 17th Place
Tulsa, Oklahoma 74119
(918) 587-2000
Attorneys for Applicant

RECEIVED
CENTRAL FAX CENTER
OCT 09 2003

OFFICIAL

PATENT TRANSMITTAL CARD

CUSTOMER #

DOCKET NO.: MED 385/00180ASERIAL/PAT. NO.: 09/843 263FILED/ISSUE DATE: 4-26-01

ASSIGNEE:

INVENTOR: Wilson et al

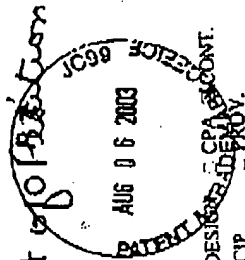
The U.S. Patent Office acknowledges, and has stamped hereon the date of receipt of the items checked below which were mailed

8-4-03

- ☐ AMENDMENT ☐ PREL. AMENDMENT
☐ APPEAL NOTICE ☐ MOTION
☐ ASSIGNMENT

☐ BRIEF☒ DECLARATION In Support of Petition☐ EXTENSION OF TIME☐ REQUEST AND CERTIFICATION☐ RESPONSE☐ ISSUE FEE - BASE/BALANCE☐ MAINTENANCE FEE YEAR☐ PATENT APP ☐ PCT ☐ PLANT ☐ DESIGN ☐ CPA ☐ CONT.☐ FWC ☐ DIV. ☐ CIP☐ CONV. OF USSN TOTAL CLS. IND. CLS. DRWGS./PGS. SPECS☐ IDS STATEMENT/PTO-1449/PATENT COPIES☐ SMALL ENTITY☒ PETITION To Make Special☒ FEES 130.00☒ Trans of Formal Drawing

EXPRESS MAIL #:

ATTY: RDAJ DUE: BY: str

HEAD, JOHNSON & KACHIGIAN*Patent, Trademark & Copyright Attorneys*Moore Manor
228 West 17th Place
Tulsa, Oklahoma 74119

Phone (918) 587-2000

Facsimile (918) 587-5603
(918) 584-1718**FACSIMILE COVER SHEET**

DATE October 9, 2003
PLEASE DELIVER TO U.S. Patent Office
FROM Amy Miles, legal assistant
NUMBER DIALED 703-872-9306

**RECEIVED
CENTRAL FAX CENTER
OCT 09 2003****OFFICIAL**

REGARDING: Re: U.S. Patent Application 09/843,263 - Petition To Make Special and Declaration as mailed on August 4, 2003 and received August 6, 2003. Please ensure that this Petition has been logged into the system and processed accordingly. Our accountant informs me that the check to cover the petition has cleared our bank. Should you have any questions, please do not hesitate to contact me at the above phone number.

PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION IMMEDIATELY AND LET US KNOW IF YOU HAVE NOT RECEIVED LEGIBLE COPIES OF ALL PAGES. TOTAL PAGES INCLUDING COVER PAGE 6. THANK YOU.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.